

The Marine Resources Commission serves as stewards of Virginia's marine and aquatic resources, and protectors of its tidal waters and homelands, for present and future generations.

The Virginia Marine Resources Commission (VMRC) has been in continuous service to the Commonwealth of Virginia for more than 100 years. Virginia established an oyster police navy after the Civil War. Two police schooners began enforcing state boundaries, keeping order and preventing poaching over a wide expanse of coastal waters where exploitation of seafood resources was increasing.

In the late 1800s, a State Fish Commission was created to devise conservation measures for the fisheries. This commission and the oyster police navy were merged before the turn of the century. Missions expanded throughout the 1900s to include the power to make and enforce conservation regulations. Shellfish leasing was assumed from the localities, and coastal surveying and mapping programs were developed during this time. Law enforcement to protect and preserve marine resources of the Commonwealth was expanded to cover more than 5,000 miles of shoreline on the Chesapeake Bay, its tributaries and Virginia's Atlantic Coast. Marine habitat programs were also developed to manage and protect submerged bottomlands, wetlands, coastal sand dunes and beaches.

Headquartered in the Tidewater region of Virginia, VMRC continues its responsibilities for balancing the needs of a growing population for development, commerce and recreation, with the goals of resource conservation and protection in the marine environment.

Findings

- Virginia is ranked third in the United States in volume of seafood products harvested and landed.
- Sales for recreational fishermen have increased over the past 10 years.
- Recreational fishermen are responsible for supporting more than 9,000 jobs in coastal Virginia.
- The estimated number of saltwater recreational anglers in Virginia has increased from 562,000 to 724,000 since 2002. Likewise, the number of saltwater fishing trips has increased from 2.6 million to 3.1 million during the same period.
- For the Habitat Management Division of the VMRC, the number of requests for habitat permits is expected to grow, generating an increased need to balance both public and private interests of marine resources of the Commonwealth.
- Approximately \$2 million are currently collected annually from the sale of Recreational Saltwater Fishing License. An additional \$750,000 is expected to be collected each year due to increases in recreational fisheries license fees.

Recommendations

VMRC should:

- Continue and expand programs to educate recreational fishermen and create a healthy conservation ethic with regard to marine resources.
- Promote a sustainable and financially viable recreational fishery in the Commonwealth that assists citizens in achieving a higher level of well-being and improves economic outputs based on increased tourism and travel.
- Collect and analyze information on fisheries stocks, harvest, landings and amount of fishing effort to manage quotas and allocations for harvests and landings, and to prepare fisheries conservation plans and regulations.
- Continue promotion of saltwater recreational fishing opportunities in the Commonwealth through continued construction of new reef sites and augmentation of existing artificial fishing reef sites.
- Continue to use funds from statewide saltwater fishing licenses to enhance fishing.
- Promote saltwater recreational fishing opportunities through an award program that recognizes exceptional catches, promote a catch and release program to conserve recreational fisheries, and continue to promote tourism and travel in Tidewater Virginia.

- Maintain a permit review process that fairly and timely balances private use of state owned submerged lands and the need to preserve habitat for sustainable fisheries.

Agency background

Established in 1875 as the Virginia Fish Commission, the Virginia Marine Resources Commission (VMRC) is one of the oldest agencies in Virginia State Government. Until the last decade, shellfish regulation has dominated much of the agency's activities because of the economic and cultural importance of the oyster industry. Private leasing of state marine bottom for the planting and propagation of oysters appears to have started before 1875, but it was not until 1884 that the Commonwealth set up the Board of the Chesapeake to handle the regulations of the oyster industry. Public oyster grounds were mapped during 1892-1895.

The Fish Commission, which at that time dealt with both fresh and saltwater fisheries issues, was consolidated with the Board of the Chesapeake in 1898 to form the Board of Fisheries. Later called the Commission of Fisheries, it was given the task of managing all shellfish and finfish issues statewide.

The Habitat Management Division of VMRC traces its origin to 1962 when the responsibility for permit encroachments in or over state-owned submerged lands was transferred from the Office of the Attorney General to the Commission of Fisheries. This made marine management in Virginia unique in that living resources, and the habitat on which they depend, came under the jurisdiction of the same agency.

A legislative study commission in 1967 recommended a broadened mission, which resulted in the agency being renamed the Virginia Marine Resources Commission in 1968 by an act of the Virginia General Assembly. The Virginia Wetlands Act was passed in 1972 and placed under the management of VMRC, as was the 1980 Coastal Primary Sand Dune Protection Act. In 1982, the General Assembly broadened the 1972 Wetlands Act to include non-vegetated wetlands. In 1984, a distinct Fisheries Management Division was created and its authority over fisheries issues was strengthened.

VMRC programs related to outdoor recreation

While VMRC was first established because of the cultural and economic importance of the oyster industry,

the impacts of recreation on the state's marine resources have become more significant. Virginia's recreational fishermen support a \$1.26 billion fishing industry and spend more money than their commercial counterparts. Saltwater angling totals \$820 million in sales and \$480 million in services provided. In 2004, saltwater angling supported more than 9,000 jobs. Several programs have been developed in an effort to manage these resources and encourage appropriate conservation ethics for those engaging in outdoor recreation in marine environments. VMRC programs also aim to balance user conflicts between commercial and recreational fishermen.



Striped Bass spawn in freshwater, live most of their lives in saltwater and may survive up to thirty years. Photo by Teta Kain.

Fishery management

In 1984, the Virginia General Assembly enacted a state fishery management policy with a goal to manage fisheries based on the best available scientific, economic, biological and sociological information. This policy marked a shifting away from fisheries controlled by legislation, to fisheries managed by plans and regulations of the VMRC. A legislative report recommended:

While fisheries management is now based upon professionally prepared plans for the major species, using the best available data and analysis, regulatory decisions are made in an open and democratic process by VMRC's nine-member commission. Public sessions of the nine-member citizen commission include hearings, open discussion of resource management issues, adoption of conservation regulations, and environmental permit decisions.

Virginia Marine Resources

The Fisheries Management Division carries out current and long-term state policies effecting recreational and commercial saltwater fisheries in Virginia's tidal waters. The goal is to provide the maximum benefit and long-term use of the Commonwealth's finfish and shellfish resources through conservation and enhancement. Its objectives are:

- To collect comprehensive and timely statistics and information on Virginia's fisheries to determine fishery stock conditions.
- To develop fisheries management plans for commercially and recreationally important species found in Virginia waters.
- To promote recreational fishing activity by the development of artificial fishing reefs and the Virginia Saltwater Fishing Tournament.
- To participate in organizations at the interstate and federal level regarding Virginia's fisheries and their management.

Artificial reefs

Approximately one million anglers go fishing each year in the tidal waters of Virginia. Recreational fishing is economically important for its contributions to travel, tourism and the sport fishing industry. Man-made reef structures enhance the bottom habitat, increase the production of fisheries and improve recreational fishing.

State-supported efforts to construct artificial fishing reefs began with six surplus World War II ships which were sunk offshore to create increased fishing opportunities. Virginia is currently using a variety of materials and structures to construct reefs in the Atlantic Ocean and Chesapeake Bay. Extensive research and study go into the planning, design, and construction of artificial reefs. Reef structures may include tires cast in concrete and pre-cast concrete igloo structures.

The Fisheries Management Division's Artificial Reef Department enhances recreational fishing opportunities through the construction of artificial fishing reefs. Twenty sites have been established, 15 in Chesapeake Bay and five in the Atlantic Ocean. A variety of materials, such as steel vessel hulls and demolition concrete has been used in addition to specifically designed habitat structures. Most of the sites are marked with yellow buoys, and established and maintained by the Artificial Reef Program.

Saltwater Fishing Tournament

The Virginia Saltwater Fishing Tournament operates a trophy fish citation program for marine recreational fishermen and promotes Virginia's diverse tidal fishing

opportunities. The program manages a database of citation records dating from 1958, which is utilized for recreational fisheries management purposes.

Virginia Saltwater Recreational Fishing Development Fund

In July 1992, the Virginia General Assembly enacted legislation authorizing the implementation of a saltwater recreational fishing license. Pursuant to the *Code of Virginia* § 28.3-302.3, funds collected by the Commonwealth of Virginia for the sale of those license are used to improve recreational fisheries in Virginia. These provisions include conserving and enhancing finfish species, fishing access and facilities, law enforcement, education, administration of the Virginia Saltwater Sport Fishing Tournament, fisheries research and data collection and habitat improvement. The Recreational Fishing Advisory Board is charged with advising VMRC on the management of this fund consistent with its enabling legislation.



Crabs depend upon vegetated tidal wetlands as habitat for spawning and nursery. Photo by Virginia Witmer/Virginia CZM Program.

Habitat management

The Habitat Management Division manages a permit program encompassing subaqueous habitat preservation and the protection and preservation of tidal wetlands, as well as coastal primary sand dunes. The Joint Permit Application, introduced in 1978, streamlines the permit process to handle local, state and federal requirements in one form.

The Commonwealth of Virginia is endowed with more than 5,242 miles of tidal shoreline, which encompasses 2,300 square miles of water surface and covers 1,472,000 acres of state-owned bottomlands. These submerged lands, greater in area than the State of Delaware, harbor some 21,000 acres of Chesapeake

Bay grasses, 251,000 acres of public oyster grounds and 90,000 acres of oyster grounds under private lease. These lands are a public resource and a valuable habitat for shellfish, crabs and finfish. Along the fringes of the myriad coves, creeks, great rivers and bays of the Chesapeake estuary grow 225,000 acres of vegetated tidal wetlands. These vegetated areas, particularly the salt marshes, constitute a vital spawning and nursery area and are an important element of the marine food webs for many economically valuable marine resources of the Commonwealth.

The evaluation of proposed shoreline projects requires the balanced considerations of often complex environmental, socio-political and economic factors. Perhaps nowhere else have the Commission's decisions been more difficult in the past several years than in the area of marina development. The issue of new marinas, particularly in localities without local zoning, and proposed marina expansions continue to conflict with shellfish growing areas. The continued emphasis on the Chesapeake Bay cleanup effort and anticipated population increases within the Tidewater area will continue to make this a very important issue.

Submerged lands

Much of the charge for ensuring that the Commonwealth's submerged lands resources are responsibly used rests with the Habitat Management Division, operating under the mandates of Virginia's Subaqueous Laws. The *Code of Virginia* vests ownership of "all the beds of the bays, rivers, creeks, and shores of the sea in the Commonwealth to be used as a common by all the people of Virginia." Permits are required from the Marine Resources Commission to encroach upon or over state-owned bottomlands. The division receives and reviews these applications,



VMRC staff meeting with property owners. Photo by VMRC.



Cape Charles Dunes. Photo by Rachel Bullene/Virginia CZM Program.

solicits public comment on them, applies public interest factors in assessing them and then prepares a recommendation to VMRC for a decision.

Tidal wetlands

While the value of marine habitat resources along the shoreline is recognized today, throughout most of Virginia's history, waterways and marshes were often filled to make land. Many coastal towns like Norfolk were built on fill placed over wetlands. A 1972 state law recognized the environmental value of tidal wetlands. This legislation authorized a permitting system for their protection. It also authorized a network of local wetlands boards to determine conservation needs with regard to tidal wetlands.

Dunes and beaches

Inappropriate development on coastal primary sand dunes and beaches can destroy vegetation, alter storm-protecting contours, increase erosion flooding and property damage, destroy wildlife habitat, and lead to increased expenditures of public funds. Coastal primary sand dunes and beaches were added to marine habitat protection legislation in 1982. Following the same principles previously established for wetlands protection, the Coastal Primary Sand Dunes Act requires permits in order to ensure that development is reasonably balanced with the protection and preservation of these coastal features.